

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Prohibition & Excise – Revision petition filed by M/s Tirumala Balaji Wines of Dhone, Kurnool district represented by Sri T.Raguramulu Goud, and others for refund of licence fee of Dhone Municipality of Kurnool District – Orders – Issued.

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**REVENUE (Ex. II) DEPARTMENT**

**G.O. Ms.No. 677.**

**Dated: 24.06.2011**

**Read the following**

- 1) Revision petition filed by M/s Tirumala Balaji Wines  
Rep.by Sri T.Raguramulu Goud, and others, Dt:18.03.2004.
- 2) Govt. Memo.No.3106/Ex.II(2)/2004-7, Dt:21.09.2007.
- 3) From the Commissioner of Prohibition and Excise  
D.O.on Cr. No. 1877/2003/CPE/M4,Dt:05.03.2008.
- 4) Rep. of Sri B. Srinivasulu Goud and others Dhone, Kurnool  
Dist, Dt: 10.12.2010.
- 5) Govt. Memo.No.65629/Ex.II(2)/2007-4, Dt: 22.12.2010.
- 6) From the CPE Cr. No. 1877/03/CPE/M4,Dt: 11.05.2011 and  
31.05.2011.

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**ORDER:**

In the reference first cited Sri T. Raghuramulu Goud and 5 others of Dhone Municipality of Kurnool District have filed a revision petition before the Govt. requesting for reduction of licence fee of IML shops of Dhone, of Kurnool District from Rs.8,25,000/- to Rs.4,50,000/- as per the population of Dhone village and on par with the license fee collected for Kandukur Municipality and to direct the authorities to refund the excess amount collected from them.

2. Government vide reference second cited, have requested the Commissioner of Prohibition & Excise. A.P. Hyderabad to take necessary action regarding reduction of licence fee from Rs.8,25,000/- to Rs. 4,50,000/- and refund of excess amount collected to the petitioners as was done in Kandukur Municipality.

3. In the reference third cited the Commissioner of Prohibition & Excise. A.P. Hyderabad has informed that the collection of licence fee is based on the population in the hand book "Census of India 2001" the population of Dhone as per census 2001 (Dhone Rev. Village (Rural) Population is 56,450. The Collector, Kurnool in Gazettee No. 2 Dt: 20-6-2002 reorganized the revenue village of Dhone separating Hamlet villages i.e. Venkatanayanipalli, Dorappli, Yerragunta, Dharmavaram, Gosanipalli as individual Gram Panchayats. After reorganization the population of Dhone Panchayat is 46,411. The Commissioner of Prohibition & Excise. A.P. Hyderabad has also stated that as it was clearly decided by the High Court that 2001 census alone is the criterion and the population of Panchayat is not relevant for the purpose of collecting license fee under the rules and requested the Government to reconsider the matter and pass appropriate orders as it involves refund of huge amounts and census is more valid than the Dist Gazette.

4. In the reference fourth cited Sri T. Raghuramulu Goud and 5 others of Dhone Municipality of Kurnool District have again filed revision petition before the Govt. for reduction of licence fee of IML shops of Dhone, of Kurnool District from Rs.8,25,000/- to Rs.4,50,000/- and refund of excess license fee paid as per the population of Dhone village and on par with the license fee collected in Kandukur Municipality.

5. The Commissioner of Prohibition & Excise. A.P. Hyderabad in the reference sixth cited, has furnished the facts of the case in detail and requested to re-examine the issue since the request of the petitioners does not have any merit.

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6. After examination the entire issue Govt. observed that the licensees of IML shops of Dhone are similarly situated to those of Kandukur Municipality.

7. Accordingly Govt. hereby decide to refund the excess licence fee collected from 1.M/s Balaji Wines, 2.M/s Madhuvan Wines, 3.M/s Sri Srinivasa Wines, 4.M/s Mallikarjun Wines, 5. M/s Sri Laxmi Srinivasa Wines, and 6. M/s Tirumala Balaji Wines of Dhone, Kurnool district on par with the licensees of Kandukur Municipality.

8. The Commissioner of Prohibition & Excise. A.P. Hyderabad shall take necessary action accordingly.

9. This order issue with the concurrence of Fin (Exp\_Rev) Dept, Vide U.O. Note No.14307/214/A2/Exp\_Rev/2009, Dt: 17.06.2009.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**ASUTOSH MISHRA,  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Commissioner of Prohibition & Excise,  
Andhra Pradesh, Hyderabad.

Copy to:

The\_ P.S. to Minister for Excise and Prohibition.

The\_ P.S. to Prl. Secretary to Govt., Revenue Department.

The Fin (Exp\_Rev) Dept./Law Dept.

Stock File /Spare.

// FORWARDED:: BY ORDER//

**SECTION OFFICER**